

Officials discuss harsher penalties for distracted drivers

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If Oregon Senate President Peter Courtney has his way, people convicted of driving while texting, using social media or talking on the phone could face jail time and thousands of dollars in fines.

Courtney joined other state officials, law enforcement officers and others at the Oregon State Capitol on Wednesday to discuss ways to combat the "pervasive epidemic" of distracted driving.

"What this measure does — and it's dramatic— it makes the penalty for using a mobile communication device while driving the same as the penalties for driving under the influence," Courtney, a member of Oregon's Distracted Driver Task Force, testified in support of amending ORS 811.507 to allow for harsher penalties. "Exactly the same."

With the amendment, a first-time distracted driving offense would carry a maximum penalty of one year in prison, a \$6,250 fine or both. Multiple violations within 10 years could cause the penalty to increase to five years in prison and a \$125,000 fine.

Currently, driving while texting or talking on a mobile device is a Class C traffic violation. Violators are subject to a maximum fine of \$500.

Courtney said the pervasiveness of distracted drivers led him to believe a harsher punishment is needed. "You drive anywhere... you can see it," he said.

Injuries and crashes caused by distracting driving have skyrocketed, he added, but many people don't take its illegalness seriously. "It's just as deadly as drunk driving," Courtney said.

Between 2005 and 2012, the number of drunk driving fatalities decreased by 28 percent. Around the same time, the number of distracted driving fatalities increased by 28 percent. Every three hours, a person is injured in a distracted driving crash in Oregon.

At Wednesday's hearing, Oregon State Police Superintendent Travis Hampton said he wanted to give a "heartfelt plea from a patrol officer's perspective."

For the third year in a row, fatal crashes are up statewide, Hampton said. Distracted driving remains one of the top contributors to fatal crashes.

Even though it seems like every third driver on the road is talking on a cell phone, law enforcement officers have struggled with catching distracted drivers. With the addition of 40 unmarked patrol cars, troopers have seen a 24 percent increase in distracted driving stops and cite about 500 drivers each month.

The current law makes it so officers can only cite drivers for communicating — talking, texting or messaging — on their phones. As a Marion County sergeant pointed out during a driving course, technically, someone could legally read a Kindle while driving down the road.

The suggested amendments would clarify the law to include any mobile electronic device. Illegal actions would include text messaging, talking, navigation, accessing the internet or reading emails.

"We welcome these changes," Hampton said.

Matthew Garrett, director of Oregon Department of Transportation, said the task force worked with experts, law enforcement and organizations like AAA to identify what was needed to reduce distracted driving crashes, deaths and injuries and how to change the cultural norms around. He pointed to limitations in the current laws, lack of good data on the number of crashes, citations and convictions and the addictive behavior behind texting and social media use.

By combining increased, effective enforcement with education, officials could hopefully halt and reverse the increase in distracted driving crashes, Garrett said.

Courtney said the revised bill would be introduced for testimony and approval beginning in early 2017. It's an important issue, he said, and he hopes to see quick action on it.

"Distracted driving-related injuries and deaths are becoming an epidemic," he wrote in his testimony. "Until we, as a state, take distracted driving as seriously as drunk driving we aren't going to be able to change behavior."